

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SEAN-LYONS JOHNSON:BENE,

Plaintiff,

v.

KAREEM SAK,

Defendant.

Case No. 4:22-cv-06780-YGR

**ORDER OF DISMISSAL; TERMINATING
CASE**

Pro se plaintiff Sean-Lyons Johnson:Bene filed a complaint against defendant Kareem Sak and a motion for leave to proceed *in forma pauperis* on November 2, 2022. (Dkt. Nos. 1-2.) The action was subsequently reassigned to the undersigned after the Court determined that this case is related to a prior action brought by plaintiff that was dismissed without leave to amend. *See Sean-Lyons Johnson:Bene v. Kareem Sak*, No. 4:22-cv-02611, Dkt. No. 12.

Plaintiff's motion for leave to proceed *in forma pauperis* is granted because plaintiff has demonstrated financial hardship. However, the case is a frivolous attempt at relitigating the Court's prior order dismissing plaintiff's claims. In short, the prior case was dismissed because plaintiff failed to state a claim under federal law and failed to establish that this Court has subject matter jurisdiction as to any state law claims. The Court's prior order, which is attached to plaintiff's complaint in this case and is incorporated herein, thoroughly explained why plaintiff's case warranted dismissal. Having closely considered the new complaint, there are no discernable differences that warrant a different result or a modification of the Court's prior order. Accordingly, this action is dismissed once more on the same grounds as the previous order incorporated herein.

Plaintiff was previously instructed that the Court's order did not preclude plaintiff from filing state law claims in California state court. This continues to apply.

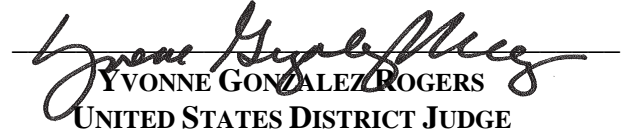
Plaintiff is further **warned** that the filing of another complaint in this District based upon the same allegations in the complaint may be summarily denied without further notice.

The Clerk is **DIRECTED** to terminate this case.

This Order terminates Docket Number 2.

IT IS SO ORDERED.

Dated: November 10, 2022


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE

United States District Court
Northern District of California